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August 27, 2020

BY ECF

Hon. John G. Koeltl
Southern District of New York
500 Pearl St.
New York, NY 10007

Application granted.

SO ORDERED.

New York, NY
August 28, 2020 /s/ John G. Koeltl
 John G. Koeltl
 U.S.D.J.

Re. *Rivera v. 170 Kingsbridge Pistilli LLC, et al.*
20cv01577 (JGK)(BCM)

Dear Judge Koeltl:

I represent Plaintiff Lisa Rivera and submit the instant status letter and respectfully request a two-week extension of time to file a motion for a temporary restraining order and preliminary injunction. This is Plaintiff's third request for an extension of time.

On July 20, 2020, the court granted Plaintiff leave to file an application for a temporary restraining order and preliminary injunction to prevent Defendants from taking the apartment building's sole elevator out of service. (*See*, Dkt. No. [22](#)). Subsequent to Defendants being served with this order, they agreed not to take the elevator out of service and stated interest to discuss the necessary reasonable accommodations. On July 31, 2020, the court granted Plaintiff an extension of time to file a temporary restraining order and status report to August 27, 2020. (*See*, Dkt. No. [30](#)). Unfortunately, after reaching an agreement on the necessary reasonable accommodations related to the elevator renovations,¹ Defendants have served Plaintiff with a contract which would, among other things, waive all of Defendants liability, and threaten Plaintiff to execute the contract or else not be given the reasonable accommodations. Defendants further demand execution of the contract is mandatory and nonnegotiable, and threaten if the moving process does not continue, they will take the elevator out of service before Ms. Rivera moves into the ground-floor unit.

¹ Ms. Rivera shall temporarily move to a ground-floor unit, and Defendants agrees to stay the renovation of the elevator and not take it out of service until Ms. Rivera moves into the ground-floor unit.

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Consequently, left with no other alternative, Ms. Rivera will move for a TRO and preliminary injunction enjoining Defendants from taking the elevator out of service.

Plaintiff proposes the following briefing schedule:

- File application seeking TRO and preliminary injunction September 7, 2020
- Opposition, if any, to be filed by September 11, 2020
- Reply, if any, to be filed by September 16, 2020

I thank you for your attention and consideration.

Respectfully Yours,

/s/ James E. Bahamonde

James E. Bahamonde, Esq.

cc:

Jonathan Farrell

Robert Plosky

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Attorneys for Defendants.